United Nations A/HRC/28/NGO/166

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the International Service for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03794 (E)

1503794

Please recycle

From restriction to protection: the legal environment for human rights defenders and the need for national laws to protect and promote their work

This statement is based on legal research across all regions, together with face-to-face consultations with over 150 human rights defenders (HRDs) from more than 60 States and sets out the need for States to enact specific laws to protect and support HRDs and to review and amend laws that restrict and criminalise their work. It also contains recommendations in that regard.

Specific national laws on HRDs

States should develop and implement specific laws and policies in this regard. Recommendations and reports by independent experts,[1] United Nations bodies,[2] and regional human rights mechanisms in Africa[3] and the Americas reflect this.[4] It is also recognised by States, through the UPR,[5] and through emerging State practice.[6]

In some jurisdictions, human rights in general enjoy a high level of recognition and protection (constitution or legislative instrument of general application). Often, such States see specific legal recognition and protection of HRDs as unnecessary, an approach that is incompatible with empirical evidence.[7] This makes the adoption of defender laws critically important, even in those jurisdictions with an existing level of legal protection of human rights in general terms.[8]

Key issues arising from the consultations

Protection against stigmatisation, intimidation and reprisals

The right to be free from reprisals is enshrined in the Declaration, and is an aspect of the protection afforded by other international human rights.[9]

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[1] Report of the Special Rapporteur on the situation of human rights defenders, UN Doc A/HRC/25/55

[2] Summary of the Human Rights Council panel discussion on the importance of the promotion and protection of civil society space, UN Doc A/HRC/27/33, para 71.

[3] African Commission on Human and Peoples' Rights Resolution ACHPR/Res.196 on Human Rights Defenders in Africa (2011).

[4] Inter-American Commission on Human Rights Resolution on Human Rights Defenders of 27 May 2014

[5] During UPR 18th session (January 2014) 18 states made recommendations to incorporate the Declaration on Human Rights Defenders at the national level or strengthen an existing law in that regard.

[6] With specific human rights defender laws enacted in Colombia, Côte d'Ivoire and Mexico and progressing through official legislative processes in Burkina Faso, Honduras and the Philippines.

[7] Specific laws can have particular normative, expressive and educative functions that cannot be achieved through laws of general application. HRDs identified the legitimating and protective function of specific legislation on defending rights. Specific laws on HRDs assist to provide formal legal protection to their work, and to give official recognition to the legitimacy of such work, educate law enforcement officers, public officials and the public at large about the importance of defenders' work and the protection thereof. Ibid pg. 15

[8] And where it may be assumed that HRDs may not face the same risks or repression as elsewhere.

[9] Such as freedom of expression and association; freedom from arbitrary arrest, detention or deprivation of liberty; torture; cruel, inhuman and degrading treatment; and arbitrary deprivation of life. Ibid pg. 19

Most consultations reflected routine State and non-state attacks against HRDs, including arbitrary detention, kidnapping, disappearances, torture, executions, and routine surveillance of HRDs, both online and offline, in the workplace, public spaces and at home.

HRDs identified a worsening trend of attacks by non-State actors, particularly extremist religious groups, terrorist organisations, and armed militias, in some States and frequent reprisals against HRDs who cooperate or seek to cooperate with the UN human rights mechanisms.

Protection for particularly vulnerable groups of human rights defenders

Certain groups of HRDs are particularly vulnerable because of the nature of their work or their identities.[10]

States have a positive duty to protect HRDs against such risks, including through the adoption of specific legislative measures.[11] However, only few States have enacted laws of general application that contain specific provisions to enhance protection for groups of HRDs at particular risk or, have established in law protection programs for particular groups at risk in association with their work.

Root causes

HRDs shared with ISHR the lack of specific legislation protecting human rights defenders, including deficient protection for community rights (land, natural resources) and against enforced disappearance and the lack or weak national human rights protection mechanisms, including absent, weak or not independent national human rights institutions (NHRIs) which fail to properly protect HRDs, have limited understanding of human rights defenders, are overly bureaucratic, or fail to implement their mandates.

Impunity against HRDs

HRDs also mentioned the very high level of impunity for attacks against HRDs, with investigations not carried out promptly, thoroughly or at all, with impunity exacerbated by the lack of independent judiciary and weak rule of law in many States and the extensive use of pre-charge and pre-trial detention, often without adequate access to a lawyer or judicial review.

Defenders emphasised the weak judiciary in many of the countries, including politically motivated or corrupt court systems, high barriers to access the legal system and the absence of legal aid, low priority given to HRDs cases, and lack of witness protection.

Lacking implementation

Some States have led the way in enacting specific laws and policies for the recognition and protection of human rights defenders. ISHR is concerned by reports from HRDs who have found that whilst those measures are strong on paper, their impact is limited through lack of implementation.

Research and consultations show that laws or policies tend to focus on the protection of HRDs who are already at risk, and tend to only focus on protection mechanisms, with a lack of attention to measures that would contribute to creating

[10] The Special Rapporteur identifies several groups, including: women human rights defenders; those working on issues of sexual orientation and gender identity; journalists and media workers; HRDs who work with indigenous communities or with land and environment rights and on issues of corporate accountability; HRDs who work on issues of corruption and impunity; and HRDs who work on cases of torture and enforced disappearances. Report of the Special Rapporteur on the situation of human rights defenders, UN Doc A/HRC/19/55 (2011)

[11] 'Protecting women human rights defenders', UN Doc A/Res/68/181 (2013)

an enabling environment for defenders, play a preventative role, or promote accountability and combat impunity for attacks and other violations.[12]

Common criticisms by HRDs are of a lack of adequate human and financial resources, inadequate analysis of the risks facing defenders, a lack of sensitivity to the specific needs of defenders, a lack of coordination across different levels of government, a privatisation of security measures, and –a lack of political will in implementing human rights defender policies.

Where HRD laws and policies exist it is vital that the highest levels government guarantee their effective implementation, ensuring adequate resourcing and transparent monitoring and evaluation of their effectiveness.

Reform existing laws to protect HRDs

In addition to enacting specific laws on the recognition and protection of HRDs, States must review and amend existing legislation, including in the following areas:

Establishment and operation of human rights and non-governmental organisations

ISHR's research and consultations show a worsening trend of restrictions on the establishment, operation, activities, governance and access to resources for NGOs, notwithstanding protection under international law of the right to form independent associations and the right of such associations to access and receive funding and resources for the purpose of promoting and protecting human rights.[13]

Laws supporting the right to peaceful assembly and protest

The exercise of the right to peaceful assembly, including through participation in peaceful protests, is an important and legitimate aspect of the work of human rights defenders, [14] and it enjoys protection in the constitutions and legislative recognition in most of the States. In practice the exercise of this right is limited in many jurisdictions, including through provisions requiring the authorisation of protests, permitting the use of force in relation to unauthorised gatherings, or affording the State a wide discretion to declare a protest unlawful.

HRDs shared with ISHR the existence of significant restrictions on the holding of peaceful assemblies, demonstrations or protests, with such assemblies either effectively banned or requiring authorisation which is routinely denied and frequently dispersed using excessive force; the restrictions on access to foreign funds for NGOs; and the stigmatisation of some NGOs as foreign agents or terrorist sympathisers or supporters.

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[12] http://www.ishr.ch/sites/default/files/article/files/research_report_on_legal_environment_for_human_rights_defenderss_upload.pdf pg.13

[13] HRDs identified as key obstacles the prohibitions against, or significant legal and administrative restrictions on, the establishment of non-governmental associations, particularly those working in the field of human rights and the widespread travel bans and confiscation of passports of human rights defenders, stringent visa-requirements, and the lack of safe and speedy ways of obtaining a visa for a third country as a particular challenge aggravating their situation and rendering flexible protection measures more difficult.

[14] Article 12 of the Declaration enshrines the obligation of States to ensure that persons participating in such activities are protected from violence, threats, retaliation or discrimination. Report of the Special Representative of the Secretary-General on Human Rights Defenders, UN Doc A/61/312 (2006)

Counter-terrorism laws and measures

The extensive use of national security and counter-terrorism laws and measures to criminalise, restrict or silence the work of HRD, including through the criminalisation of speech that is protected by international law, the use of secret detention, extended detention without charge, and denial of access to lawyers, judicial review or a fair trial was a frequent issue raised by HRDs in consultations in all regions..

ISHR's comparative research similarly disclosed that laws relating to counter-terrorism and national security are increasingly being used and misused in many jurisdictions to hinder, obstruct and criminalise the work of HRD. This propensity has been recognised by this Council in a number of recent resolutions, including those relating to HRDs and the protection of civil society space.

Conclusions and Recommendations

In light of the above, ISHR urges the Human Rights Council to call upon States to:

- Develop, enact and implement a specific national law on the recognition and protection of human rights defenders.
- Enshrine the rights to freedom of expression, association and assembly in laws or the constitution.
- Recognise and protect the right to access and communicate with human rights bodies and mechanisms.
- Adopt legislative provisions to prohibit and promote accountability for intimidation and reprisals.
- Mandate and resource a human rights defender focal point within the national human rights institution.
- Establish mechanisms to protect particular groups or professionals at risk due to their human rights work.
- Specifically criminalise attacks against human rights defenders.
- Facilitate the prompt, expeditious and inexpensive establishment of human rights organisations and other NGOs.
- Support the charitable status of, and confer charitable benefits on, human rights organisations, including those which undertake advocacy.
- Enshrine the right to access and disclose information relating to human rights.
- Enact or expand whistle-blower legislation to protect human rights related disclosures.
- Codify the right to refuse to violate human rights.
- Review and amend all laws and provisions which may restrict or hinder tne work of human rights defenders.
- Decriminalise the establishment of, or participation in, unregistered associations.
- Safeguard the independence of NGOs.
- Decriminalise non-compliance with NGO registration or reporting requirements.

- Prohibit the de-registration of NGOs on vague grounds or grounds which do not accord with international human rights standards.
- Remove discriminatory restrictions on access to foreign funds and repeal requirements for NGOs receiving foreign funds to register as foreign agents.
- Repeal restrictions on the right to advocate in relation to all human rights for all persons.
- Decriminalise offences of defamation, libel, slander and similar offences.
- Decriminalise activities and the publication of materials that are prohibited on broad and vague grounds that are incompatible with international human rights standards.
- Repeal requirements as to the registration of journalists, including in order to cover protests or demonstrations, and safeguard the independence of journalists.
- Amend counter-terrorism laws to ensure compliance with international human rights standards, including the Declaration on Human Rights Defenders.
- Repeal authorisation requirements in relation to the conduct of peaceful protests and assemblies.
- Explicitly prohibit excessive use of force against protesters and assemblies.

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Human Rights Council
Twenty-eighth session
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Written statement* submitted by the Jammu and Kashmir Council for Human Rights (JKCHR), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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1503809

Please recycle

Jammu and Kashmir - "Protection of human rights during violence and conflict"

Jammu and Kashmir Council for Human Rights wishes to congratulate the High Commissioner for Human Rights for his comprehensive report A/HRC/28/3 under agenda item 2 of the Twenty-eighth session of the Human Rights Council. The wide range and broad spread of the report is encouraging and holds a hope to many other people somehow not reflected in this report.

JKCHR would wish to state that as part of our continued contribution to the full regime of Human Rights and the work of the office of the High Commissioner (during the creation of the office of High Commissioner) since the NGO represented the Unrepresented Peoples and Nations of the World at the UN World Conference on Human Rights in Vienna in June 1993, this identification of a people and a situation left out from the report does not constitute any criticism of the merits of the report but is a genuine effort to increment the efficacy of the constituency of the work of the office of the High Commissioner for Human Rights, UN Secretary General and the Council.

It is our considered opinion that "Protection of human rights during violence and conflict", "Early warning and preventive action" and "Human rights, peace and security" chapters in the report could have been more sensitive and fully representative of the work and mandate, if the situation of Jammu and Kashmir, which has caused the death of a generation since 1990 and more particularly where 117 persons were killed by the Indian security forces during a series of peaceful protest between January 2010 and December 2010.

Out of 117 persons. FIR has been lodged in respect of 37 deaths only and a Challan has been produced in the court in respect of 7 cases only. All these deaths have been caused by Police and Armed Personnel. The Armed Personnel of Indian army have been admitted into the disputed State of Jammu and Kashmir to defend the 'territory' and protect 'life', 'property' and 'honour' of the people. Its role is slated as supplemental to assist the State Government in maintaining law and order, to enable the State to set up a neutral administration to carry out the work assigned to it under the UNCIP Resolutions on Kashmir.

United Nations Security Council Resolution of 21 April 1948 sets out the number, behaviour and location for these security forces.

The death of around 70000-100000 caused from 1990 to date and the deaths from January 2010 to December 2010 and a culture of continued killings in encounters (some proven fake) in the disputed territory present a sad commentary on the failure of Indian security forces to respect and honour the duties that caused their admission and further presence in the conflict area.

The situation has all the merits for an initiative of the UN Secretary General under article 99 of the Charter in respect of the right of self-determination as equal people, of the people of Jammu and Kashmir to be determined through a free vote under the auspices of UN Security Council. In the month of September 2014 the General Assembly heard the views of the Prime Minister of Pakistan and the Prime Minister of India on the question of Kashmir.

It is unfortunate that from 01 October 2014 India and Pakistan are engaged in a low intensity war on the cease fire line in Kashmir. The violation of cease fire in Jammu and Kashmir continues to result in a daily loss of life. People of Jammu and Kashmir are outsourced under UN mechanism into the trust responsibility of three administrations under the controls of India and Pakistan on either side of cease fire line.

In view of the UN mechanism on the resolution of Kashmir case, the death of a generation in Kashmir from 1990 - to date, enduring a violation of human rights never witnessed in the history of Kashmir from 1846-1990, violation of all the four duties agreed at the time of the despatch of its army to Kashmir by India in October 1947 (a matter which remains justiciable till to date on the UN SC agenda) and failure of the Government of India to assist the Government of Jammu and Kashmir to start preparing under the supervision of UN SC for an atmosphere conducive to arrange a Plebiscite, failure of the Government of India to honour the restraints placed in SC Resolution of 21 April 1948 on the number, behaviour and location of Indian security forces during their stationing in Kashmir and failure of the Government of Jammu and Kashmir to observe the caution given in UN SC Resolution of 30 March 1951, it is high time that the office of the High Commissioner for Human Rights acts to help the three people, namely, people of Kashmir (distributed under three administrations), people of India and Pakistan to return to peace and discharge their obligations in the implementation of UN mechanism on Kashmir.

JKCHR wishes to point out that article 99 gives the UN Secretary General the right of initiative in any matter which in his opinion may threaten the maintenance of international peace and security. The Declaration on Fact-Finding by the UN in the field of Maintenance of International Peace and Security which was adopted by the GA on December 9, 1991, enhances these capabilities of the UN and strengthens the role of the Secretary General. In accordance with this Declaration, the Secretary General can start an activity to obtain detailed knowledge of the relevant facts of any dispute, or threatening conflict, in which the competent UN organs need effectively to exercise their functions pertaining to the Maintenance of International Peace and Security.

We understand that Adviser to the Prime Minister of Pakistan on National Security and Foreign Affairs, Mr. Sartaj Aziz, has addressed a letter to UN Secretary General on the security situation along the Line of Control in Jammu and Kashmir and the Working Boundary between Pakistan and India.

We welcome the reiteration of the principled stand on Kashmir by the Prime Minister of Pakistan during his address at the UN General Assembly. JKCHR also welcomes the statement of UN Secretary General on 9 October 2014 in which he expressed concern about the recent escalation of violence along the Line of Control between India and Pakistan, and deplored the loss of lives and the displacement of civilians on both sides. UN SG has encouraged the Governments of India and Pakistan to resolve all differences through dialogue.

The statement is a realisation of responsibilities under article 99 of the Charter. It is high time that UN returns to occupy itself with the right of return and rights of first generation of refugees (internally displaced from various parts of the State) on either side of the cease fire agreed in January 1949 in the State of Jammu and Kashmir, agreed between India and Pakistan.

It should concern the office of the High Commissioner on Human Rights and members of the Council that over the period of a non-implementation of UN mechanism on Kashmir more people became refugees in 1965, 1971 and 1990. It is not only that the first assurance of April 1948 guaranteeing "freedom to return to their homes and to exercise their rights as such citizens," has not been followed upon as slated by the UN Security Council, there have been further additional displacements as well.

The resurgence of Hindu radical interest in the multi-faith habitat of Kashmir is a serious threat to the interests of the Muslims. RSS is known to have sent volunteers in 1931 to assist the Dogra forces to suppress the Muslim uprising in the Valley. RSS has reprinted its claim entitled "Kashmir The Spiritual Home of Hindus". It adds that "The Maharaja is more sinned against than sinning. The Hindu kingdom is one of the oldest in world history and is an indissoluble part of the cultural hegemony of the Hindustan". The reprint's object is obvious – that Hindu Raj should now be revived in Kashmir.

It goes without any doubt to point out that India and Pakistan would never succeed to resolve the Kashmir dispute if either of the two or both seek to distance away from the UN mechanism on Kashmir. There is a compelling need that UN mechanism on Kashmir is agitated without any further delay for the interest of the parties and peace.

Meanwhile, it is important that Government of India is urged to respect the four duties agreed before the provisional admission of its armies into Kashmir and honours the 3 principles laid down in UN SC Resolution regulating the number, behaviour and location of its armies until a Plebiscite is held. We regard the death of unarmed civilians in Jammu and Kashmir (Indian administered) and death of a Kashmiri living across the cease fire line (on the Pakistani side) at the hands of Indian army as deliberate and a war crime.

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Human Rights Council
Twenty-eighth session
Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by the International Association Against Torture, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-03795 (E)
1503795

Please recycle

Racism and Violence in the USA

The Committee Against Torture[1] report on the US is revealing and damning. We are providing further background to the CAT report in order to destroy any vestiges of the UN double-standard.

On December 9, 2014 President Obama released the US Senate Report on Torture[2]. It exposed that the US had systematically engaged in torture since September 22, 2001 and the extraordinary and inhumane lengths to which it had done so. These facts were known to much of the rest of the world whose people were victims of this torture but had been vigorously withheld from the U.S. public. President Obama justified the need to release the report by stating that these acts of torture were "not us," i.e. that this is not what the United States does. He further said, "One of the things that sets us apart from other countries is that when we make mistakes, we admit them."[3] Neither of his statements are accurate. These acts of torture were not "mistakes."

The history of the USA is predicated on violence and torture. Imam Jamil Abdul al-Amin, formerly known as H. Rap Brown, a leader in the Black Power Movement in the 1960s, famously noted, "Violence is as American as cherry pie."

The subduing of the indigenous peoples of the Western hemisphere was done violently[4]. Violence maintained chattel slavery. Enslaved Africans who rebelled or resisted were whipped, beaten, branded, hung, tortured and beheaded among other acts designed to elicit information on co-conspirators and to discourage future acts of resistance.[5] The end of de jure slavery after the Civil War was replaced by the de facto slavery of Jim Crow which was maintained by terror and torture[6]. The "Equal Justice Initiative" has just released a report "Lynching in America: Confronting the Legacy of Racial Terror," which documents 4000 lynchings of Black people throughout the southern United States between 1877 and 1950.

The U.S. is no stranger to waterboarding. They used it in the 1898 takeover of the Philippines. They called it the "Water cure." It was described thusly to a Senate panel:

"A man is thrown down on his back and three or four men sit or stand on his arms and legs and hold him down, and either a gun barrel or a rifle or a carbine barrel or a stick as big as a belaying pin...is simply thrust into his jaws and his jaws are thrust back, and, if possible, a wood log or stone is put under ... his neck, so he can be held firmly... in the case of very old men I have seen their teeth fall out. He is simply held down, and then water is poured into his face, down his throat and nose from a jar, and that is kept up until the man gives some sign of giving in or becoming unconscious, and when he becomes unconscious he is simply rolled aside and he is allowed to come to...Well, I know that in a great many cases, in almost every case, the men have been a little roughly handled; they were rolled aside rudely, so that water was expelled. A man suffers tremendously; there is no doubt about that. His suffering must be that of a man who is drowning, but he cannot drown."

The author further notes: *"Ingenious Yankees employed a variety of other gruesome tortures, including flogging, scorching bound prisoners over open fires, and the "rope cure" (hanging trussed prisoners from the ceiling)."* A Private from Utah writes home, *"No cruelty is too severe for these brainless monkeys, who can appreciate no sense of honor, kindness or justice."*[7]

This century-old racist description of the enemy sounds familiar.

In his famous 1967 speech on "Why I am Against the War," Dr. Martin Luther King compared the United States' military's use of chemical weapons in Vietnam to the "new medicine and new tortures in the concentration camps of Europe."

So for people of African descent in particular, US protestations of torture "not being us" ring hollow. Our direct experience tell us that torture is a routine weapon in an arsenal designed to maintain a privileged status quo.

Excerpts from the United States Senate Select Committee Report on Torture

Interrogation techniques such as slaps and "wallings" (slamming detainees against a wall) were used in combination, frequently concurrent with sleep deprivation and

nudity.

The waterboarding technique was physically harmful, inducing convulsions and vomiting. Abu Zubaydah, for example, became "completely unresponsive, with bubbles rising through his open, full mouth." Internal CIA records describe the waterboarding of Khalid Shaykh Mohammad as evolving into a "series of near drownings."

Sleep deprivation involved keeping detainees awake for up to 180 hours, usually standing or in stress positions, at times with their hands shackled above their heads. At least five detainees experienced disturbing hallucinations during prolonged sleep deprivation and, in at least two of those cases, the CIA nonetheless continued the sleep deprivation.

"Rectal rehydration" [a euphemism for forced feeding through the rectum of prisoners who protest their inhumane conditions by going on a hunger strike].

Throughout the program, multiple CIA detainees who were subjected to the CIA's enhanced interrogation techniques and extended isolation exhibited psychological and behavioral issues, including hallucinations, paranoia, insomnia, and attempts at self-harm and self-mutilation. Multiple psychologists identified the lack of human contact experienced by detainees as a cause of psychiatric problems.

Drone "Terror"

Under the cynically misnamed War Against Terror, the U.S. military inflicts daily terror and death upon the civilians of sovereign countries which the US has designated as terrorist hideouts. Through sophistry and outright lies the military disguises the extent of "collateral damage" [ruthless murders] which accompany their "targeted" drone strikes. A 2012 New York Times article explains that *Obama's rhetorical emphasis on avoiding civilian deaths "did not significantly change" the drone program, because Obama's method for counting civilians "**counts all military-age males in a strike zone as combatants**. ...Counterterrorism officials insist this approach is one of simple logic: people in an area of known terrorist activity, or found with a top Qaeda operative, **are probably up to no good**."*[8]

Torture of US-held Political Prisoners

The U.S. outright lies when it denies that it incarcerates and tortures Black and Puerto Rican political prisoners. For example, Sekou Odinga, a Black Panther and member of the Black Liberation Army has just been released from prison after serving 34 years for his alleged connection to a 1981 expropriation of a Brinks armored car in Nyack, NY, where he never was. A victim of the FBI's Counter Intelligence Program (COINTELPRO), Sekou was 60 miles from Nyack when he was captured after a car chase and shootout with police who assassinated his wounded and helpless comrade Mtayari Shabaka in cold blood. Sekou, also wounded, was tortured by Joint Terrorist Task Force agents who beat him for hours, ruptured his spleen, ripped out his toe nails, broke his ribs, extinguished cigarettes on his body and repeatedly forced his head into a toilet in an unsuccessful attempt to gain information from him.

Police Brutality

The CAT notes the lack of statistics concerning police violence. FBI Director James Comey has recently said, "Demographic data regarding officer-involved shootings is not consistently reported to us through our Uniform Crime Reporting Program. Because reporting is voluntary, our data is incomplete and therefore, in the aggregate, unreliable."[9]

What we know is that United States law enforcement personnel have operated in Black communities as if they had a "license to kill." Clifford Glover (1974, Queens, NY), Eleanor Bumpurs (1985, Bronx, NY), Oscar Grant (1998, Oakland, California), Amadou Diallo (1999, Bronx, NY), Sean Bell (2005, Queens, NY), Jonathan Ferrell (2013, Charlotte, North Carolina), Eric Garner (2014, Staten Island, NY), Michael Brown (2014, Ferguson, Missouri), Dontre Hamilton (Milwaukee, Wisconsin 2014); Tameer Rice (12 years old, 2014, Cleveland, Ohio) are just a few of the many unarmed people murdered by the police. Indictments of these officers rarely happened. Prosecutions were even rarer. Convictions almost non-existent, and the few sentences served were minimal.

Forty million Africans in the US call for a plebiscite for persistent, consistent crimes against humanity and torture against our people.

Conclusion

We urge the HRC to continue its investigation of torture by the US and to exert as much pressure as possible to force prosecution of those responsible

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[1] CAT/C/USA/CO/3-5

[2] Senate Select Intelligence Committee, "Committee Study of the Central Intelligence Agency's Detention and Interrogation Program," http://www.feinstein.senate.gov/public/index.cfm/files/serve?File_id=7c85429a-ec38-4bb5-968f-289799bf6d0e&SK=D500C4EBC500E1D256BA519211895909

[3] Kaplan, Rebecca "Obama on CIA torture report: 'When we make mistakes, we admit them," CBS News, 9 Dec. 2014

[4] Brown, Dee, "Bury My Heart at Wounded Knee: An Indian History of the American West,"

[5] Horne, Gerald, Dr., "The Counter-Revolution of 1776: Slave Resistance and the Origins of the United States of America," NYU Press 2014; Rasmussen, Daniel, "American Uprising: The Untold Story of America's Largest Slave Revolt," Harper Collins 2012;

[6] Blackmon, Douglas, "Slavery by Another Name: The Re-Enslavement of Black Americans from the Cold War to World War II," Anchor Press, 2009;

[7] Bradley, James, "The Imperial Cruise: A Secret History of Empire and War," Back Bay Books, 2009

[8] Becker, Jo & Shane, Scott, "Secret 'Kill List' Proves a Test of Obama's Principles and Will," NYT 29 May 2012

[9] Comey, James, "Hard Truths: Law Enforcement and Race," 12 Feb. 2015

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Human Rights Council
Twenty-eighth session
Agenda item 6
Universal periodic review

Written statement* submitted by the Egyptian Organization for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2015]

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1503820

Please recycle

Egyptian Organization for Human Rights Statement

concerning Egypt's protest law

Egypt has suffered under the yoke of dictatorship for long decades, with absolute disregard for human rights and dignity. However, that changed when in January 2011 the masses flooded the streets of Cairo and other major cities across Egypt demanding Bread, Freedom, Social Justice, and Human dignity. The popular will of the Egyptian people brought down President Mubarak's 3 decades long regime. A couple of years later it, on the 30th of June, 2013, the masses took to the streets once more demanding the resignation of Muslim Brotherhood President Morsi whose disastrous one year in office created a serious setback to human rights, after he issued what he called a constitutional declaration immunizing his decisions from Judicial oversight. In addition to that, he violently repressed his opponents putting the country on the verge of civil war. In response to the people's wishes, and due to Mr. Morsi's refusal to resign in defiance to the popular uprising against him, the Egyptian military ousted him thereby granting the demands of the people's revolution.

Over the past year, Egypt has witnessed considerable progress with regards to human rights in the constitutional context. The new Egyptian constitution for the first time has human rights as one of its pillars, reaffirming the principles of human rights stipulated by international human rights treaties and conventions. Among the major breakthroughs this new constitution has is gender equality, freedom of religion, freedom of speech, and freedom of assembly.

Nevertheless, the results on the ground have not fully materialized yet. In November 2013 a few months before the inauguration of the new constitution, the transitional authorities issued a highly controversial protest law that restricts the right to hold protests and demonstrations, and other forms of popular political expression. The transitional government issued this law in the absence of an elected parliament to approve it, and before the promulgation of the constitution making it lack any sustainable legitimacy. The Law obliges anyone wishing to hold any sort of demonstration to get a permit from his or her district police station, and if the police refuses to grant the permit, then the appliers have to go to court. This very restrictive process collides with the constitution's 73rd article that reads as follows, "*Citizens have the right to organize public congregations, processions, demonstrations, and all forms of peaceful protest without any kind of weapons with a prior notification according to the law. Moreover the right of private peaceful assembly is guaranteed without prior notification, and security personnel are prohibited from attending, observing, or spying on it.*" The constitution in article 73 clearly guarantees the right to peaceful assembly with only a prior notification not a permit as stipulated by this very controversial law. The Egyptian National Council for Human Rights has publicly stated its reservations on the law, and has proposed a number of amendments to the Egyptian government. However, the Egyptian government was not very receptive, and so far has been very reluctant to abrogate or amend the controversial law. The Egyptian Organization for Human Rights urges the Egyptian government amend the protest law so that it can be in accordance with the Egyptian constitution and international standards so that the freedom of assembly and expression of each and every Egyptian citizen is guaranteed. The Egyptian Organization for Human Rights has submitted a list of over 200 names of young men who have been given prison sentences because of that law to the Egyptian president. This list was submitted after he promised more than once to review the names of detained protesters, and pledged to release anyone who has been wrongfully detained for a violation they did not commit.

In conclusion, the Egyptian Organization for Human Rights implores his Excellency President Abdel Fattah Al Sisi to grant a presidential pardon to any one imprisoned due to this restrictive unconstitutional law, and also demands that Egyptian authorities amend the law as soon as possible as it presents a serious impediment on Egypt's road to democracy and freedom.

United Nations A/HRC/28/NGO/170

General Assembly

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2 March 2015

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Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-04092 (E)
1504092

Please recycle

Gambia must take immediate steps to address concerns of UN Special Rapporteurs on torture and extra-judicial executions[1]

At its 28th regular session, the UN Human Rights Council (HRC) will consider the report of the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment (the Special Rapporteur on torture) on his visit to Gambia,[2] a visit he undertook jointly with the UN Special Rapporteur on extrajudicial, summary or arbitrary executions from 3 to 7 November 2014.[3]

Amnesty International commends the Special Rapporteurs' efforts in positively engaging the Gambian authorities and larger civil society.

The organisation deplores the government's decision to deny the Rapporteurs access to the Security Wing of Mile 2 prison, where death row prisoners and others sentenced to long prison terms are held. That decision demonstrated again the government's blatant disregard for cooperation in the field of human rights. The Special Rapporteurs note in their Preliminary Findings that this restriction was imposed despite the government's written agreement to the Terms of Reference of the two mandates. Amnesty International is concerned that the government's unwillingness to cooperate with international monitors is in striking contradiction with the government's own commitment made during the Universal Periodic Review (UPR) of Gambia to "continue in its endeavour to promote and protect human rights in the country".[4]

Over the years, Amnesty International has documented numerous cases of intimidation, arbitrary arrest and detention, torture, enforced disappearance and unlawful killings of journalists, human rights defenders and political activists in Gambia. The Rapporteurs made similar findings. In relation to torture and other ill-treatment specifically, their findings refer to the prevalence of torture. They note that "the nature of the torture is brutal and includes very severe beatings with hard objects or electrical wires; electrocution, asphyxiation by placing a plastic bag over the head and filling it with water and burning with hot liquid. These methods of torture generally occurred over a period of days or even weeks." [5] The Rapporteurs also expressed concerns about prison conditions and the lack of an effective complaints mechanism to address allegations of torture and other ill-treatment.

Amnesty International has on more than one occasion raised with the HRC its serious concerns about the ongoing crackdown against human rights defenders by Gambian authorities. As far back as September 2009, the organisation called for immediate measures to protect representatives of Gambian civil society seeking to engage with the UPR in February 2010. It urged the HRC not to "wait to react only after they have come to grievous harm for advocating better respect for human rights in Gambia."[6] In August 2014 Amnesty International once again urged the HRC to pay particular attention to ensuring that human rights defenders, including those who have contributed to the UPR process, would not face reprisals. [7] The organisation reiterated concerns about the serious danger of reprisals against Gambians

[1] A version of this statement published on the Amnesty International website includes additional information in the footnotes (AI Index: AFR 27/1100/2015, available at: https://www.amnesty.org/en/documents/afr27/1100/2015/en/).

[2] A/HRC/28/68/Add.4, not yet published at the time of writing.

[3] End of visit statement by the Special Rapporteurs, The Gambia: UN team prevented from completing torture and killing investigations, available at: http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15265&LangID=E#sthash.WXczQqby.dpuf

[4] National report submitted to HRC 2014, paragraph 209, A/HRC/WG.6/20/GMB/1.

[5] End of visit statement by the Special Rapporteurs, footnote 3.

[6] See Amnesty International oral statement on Gambia to the 12th session of the UN HRC, 30 September 2009, available in AI document: IOR 41/029/2009, October 2009.

[7] See https://www.amnesty.org/en/documents/AFR27/011/2014/en/ .

seeking to engage with the UPR in a public statement of 16 October 2014.[8] During the Rapporteurs' visit, many individuals interviewed by them expressed fear of reprisals.

Amnesty International has received information of recent arrests and torture of a homophobic nature. The organization has recorded that at least eight people, including three women and a 17-year-old boy, were arrested by the country's National Intelligence Agency (NIA) and Presidential Guards in November 2014 and threatened with torture because of their presumed sexual orientation. All those arrested were detained under investigation for "homosexuality" and were subjected to ill-treatment, such as beating, sensory deprivation and the threat of rape to force them to confess their "crimes". Amnesty International received information that a further six individuals were reportedly arrested in November and December 2014 on the same grounds;[9] three of the men arrested are currently facing trial in the High Court of Banjul.

Amnesty International has received information that Gambian law enforcement agencies including the NIA and Presidential Guard have arrested at least 30 persons, including a 16-year-old boy, since the beginning of January after a failed alleged coup attempt in the capital Banjul on 30 December 2014. They are being detained incommunicado and without charge. Eyewitnesses saw family members being taken to the NIA. Security forces have threatened to arrest anyone demanding the release or whereabouts of those arbitrarily detained.[10]

Gambia's conditional moratorium on executions reinstated in 2012 is insufficient.[11] Although there have been no executions since the execution of nine prisoners in August 2012,[12] prisoners continue to be exposed to "death row phenomenon", which is "a combination of circumstances that produce severe mental trauma and physical deterioration in prisoners under sentence of death".[13] The executions in 2012, which took place after a 27-year-long moratorium, were carried out without informing the prisoners, their lawyers or families in advance, and the authorities did not return the bodies of the executed to their families for burial. In a media interview in August 2013, President Jammeh justified the retention of the death penalty as being "divine law" and stated that he would not pardon anybody condemned to death. This would deny the persons sentenced to death their right under international law to seek clemency.[14]

Amnesty International is concerned about the use of arbitrary detention and torture and other ill-treatment against human rights defenders or opponents of the regime. It is also concerned about restrictions to the right to freedom of expression, in particular through successive legislation passed in recent years unnecessarily restricting this right and imposing increased punishments. Offences under this legislation provide for long prison terms and hefty fines for "aggravated homosexuality", "absconding state officials", making derogatory statements against public officials, criticizing government officials online, inciting dissatisfaction, instigating violence against the government and acts of public disorder.[15] The amendments made to the Criminal Code in May 2013 include the charge of providing "false information to a public servant" which is broad and subject to abuse by law enforcement authorities, in particular the NIA, likely to result in the detention and interrogation of persons, in particular, journalists and human rights defenders and others who express dissent, all of whom are at risk of torture or ill-treatment during interrogation. The shrinking space allowed for human rights activism and any form of political dissent is a major obstacle to exposing, preventing and addressing the use of torture and other ill-treatment in Gambia.

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[8] See AFR 27/012/2014 at: http://amnesty.org/en/library/info/AFR27/012/2014/en .

[9] See https://www.amnesty.org/en/news/gambia-must-stop-wave-homophobic-arrests-and-torture-2014-11-18 .

[10] See https://www.amnesty.org/en/articles/news/2015/01/gambia-charge-or-release-family-members-alleged-failed-coup-plotters/

[11] See http://www.amnesty.org/en/news/gambia-death-penalty-moratorium-must-lead-abolition-2012-09-17 .

[12] See AFR 27/007/2013 at: http://amnesty.org/en/library/info/AFR27/007/2013/en

[13] See paragraph 42, Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, 9 August 2012, UN Index: A/67/279 .

[14] See https://www.amnesty.org/en/countries/africa/gambia/report-gambia .

[15] The Criminal Code (2014 amendment) Act, the Information and Communication (2013 amendment) Act and the Criminal Code (2013 amendment) Act. See also 1) https://www.amnesty.org/en/countries/africa/gambia/report-gambia/; 2) www.amnesty.org/en/news/gambia-must-stop-wave-homophobic-arrests-and-torture-2014-11-18; 3) https://www.amnesty.org/en/documents/AFR27/006/2014/en/ .

Amnesty International urges the HRC, its members and observer states to:

- Condemn the Gambian government's blatant failure to respect the Special Rapporteurs' Terms of Reference, thereby undermining their investigation;
- To establish an investigation into the circumstances surrounding the December 2014 attempted coup and related human rights violations, including investigations into arrests and other forms of repression.
- Call on Gambia to:
  - Constructively engage with the Special Rapporteurs and act on their recommendations without delay;
  - Desist from reprisals and intimidation against persons cooperating with the UN in the field of human rights;
  - Improve the conditions of detention in all places of detention and ensure that prisoners and detainees have access to medical care, adequate and appropriate food, hygiene and exercise;
  - Investigate all allegations of torture or other ill-treatment and hold to account the individuals responsible;
  - Ensure that information obtained under torture is not allowed in any proceedings;
  - Establish an independent mechanism that promptly and effectively investigates all allegations of torture or ill-treatment;
  - Establish a permanent moratorium on executions, with a view to abolition, commute all death sentences, and ensure that prisoners on death row enjoy fully their right to seek clemency;
  - Ensure that all prisoners on death row have access to their lawyers and families;
  - Immediately end the policy of continued harassment, intimidation, arbitrary arrest and torture of people due to their perceived sexual orientation and of human rights defenders, journalists, political activists, and their families;
  - Repeal legislation that restricts freedom of expression inconsistently with human rights standards, i.e. the Criminal Code (2014) amendment, the Information and Communication (amendment) Act 2013 and the Criminal Code (amendment) Act 2013;
  - Comply and implement expediently the judgments of the ECOWAS Court of Justice; and
  - Ratify human rights treaties, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearance, and the African Charter on Democracy, Elections and Governance.

United Nations A/HRC/28/NGO/171

General Assembly

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English only

Human Rights Council
Twenty-eighth session
Agenda item 5
Human rights bodies and mechanisms

Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 March 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.15-06063 (E)

1506063

Please recycle

The UN Human Rights Council needs to put in place effective measures to evaluate and follow up on non-cooperation with Special Procedures

Introduction

General Assembly resolution 60/251 requires members of the Human Rights Council to fully cooperate with the Council, including its mechanisms and subsidiary bodies.[1] States that seek election to the Council almost routinely make pledges to cooperate with the Council and its mechanisms.

Amnesty International notes, however, that Special Procedures' reports and other information show that Council members often fail to cooperate with the Special Procedures, including in connection with country visits.

Country examples

Among the HRC members that have been very selective with regard to which Special Procedures' visit requests they accept are **India, Indonesia, Russia, Saudi Arabia** and **Venezuela.**

India holds the record for the longest pending request by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, first made over twenty years ago. This and 13 other requests remain outstanding despite India's standing invitation to Special Procedures.[2] **Indonesia** has 15 outstanding requests, among them are repeated requests from the Special Rapporteur on freedom of religion or belief, who first asked to visit in 1996, nearly 20 years ago.[3] One of **Russia**'s 15 outstanding visit requests is by the Working Group on Enforced or Involuntary Disappearances, which was first made in 2006 and has not been accepted yet despite repeated reminders.[4] **Saudi Arabia** has to date received only two Special Procedures' visits and has nine outstanding requests, some of which with repeated reminders, including one by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.[5] In almost 20 years, **Venezuela** has received only one Special Procedure visit: the one by the Special Rapporteur on and other cruel, inhuman or degrading treatment or punishment in 1996.[6] The government has yet to accept - despite repeated reminders, most recently on 3 February 2015 - a request by the Special Rapporteur on the situation of human rights defenders, which was first made in 2007.[7] Requests by eight other Special Procedures also

1 A/RES/60/251, operative paragraph 9.

2 Request made in 1993, with reminders in 2007 and 2010. Three of the other outstanding visit requests are shown as accepted but with no dates set. http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsF-M.aspx [last accessed on 16 March 2015].

3 Request made in 1996, with reminders in 1997, 2001, 2002, 2003, 2004, 2008, 2012 and 2014, http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsF-M.aspx [last accessed on 16 March 2015]. Two of the other outstanding visit requests are shown as accepted but with no dates set.

4 Annual report, A/HRC/27/49, paragraph 29 "The Working Group has requested a visit to the following countries, without having yet received a positive response: … the Russian Federation (2006, 2008, 2009, 2010, 2011, and 2012) …." and http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsN-Z.aspx [last accessed on 16 March 2015]. Two of the other outstanding visit requests are shown as accepted but with no dates set.

5 Request in 2004, reminders in 2008 and 2009. http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsN-Z.aspx [last accessed on 16 March 2015]. Two of the other outstanding visit requests are shown as accepted but with no dates set.

6 E/CN.4/1997/7/Add.3, 13 December 1996.

7 See A/HRC/28/63, paragraph 20 and http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsN-Z.aspx [last accessed on 16 March 2015] providing the following information: "Request in 2007, reminder in 2008 and 2010; Request on 3 Feb. 2015".

remain outstanding,[8] with the dates for the visit of the Special Rapporteur on the right to food, which was accepted in 2011, yet to be set.[9]

There are Human Rights Council members that accept visits, and have even issued a standing invitation, but then frustrate attempts to carry out some visits, either by taking long time to agree to dates, which can negatively affect Special Procedures' ability to plan their work, or by cancelling or postponing visits virtually at the last minute, which, *inter alia,* leads to waste of already limited Special Procedures' resources. In addition to the ones mentioned earlier, these include, for example, **Algeria** and **South Africa.**

In its Council election pledges, **Algeria** indicated that it had invited the "Working Group [on Enforced or Involuntary Disappearances] to conduct a working visit" to the country. [10] It invited the Working Group to visit the country in the second half of 2014, but did not accept different dates proposed by the Working Group or the format and purpose of the visit. No dates have been agreed yet.[11] A visit by the Special Rapporteur on violence against women, its causes and consequences to **South Africa** was recently postponed just three weeks before it was meant to start.[12]

There are also Human Rights Council members that accept and facilitate visits but restrict Special Procedures' freedom of inquiry, for example, by denying access to places they have sought to visit. Among them is the **United Kingdom,** which denied the Special Rapporteur on violence against women, its causes and consequences access to Yarl's Wood Immigration Removal Centre despite repeated requests.[13]

Cooperation with Special Procedures goes beyond accepting and facilitating visits. States must ensure that no reprisals take place against individuals who interact with special procedures in the context of country visits. Yet, there continue to be reports of the worrying occurrence of reprisals against individuals who have met with Special Procedures during their country visits, including in the context of visits to Council member states. The Special Rapporteur on freedom of religion or belief mentioned in his statement to this session of the Human Rights Council [14] that the privacy of his conversations was violated and that individuals who had met with him had suffered reprisals, including physical attacks, during his visit to **Viet Nam** in July 2014, or immediately afterward. There have also been allegations of intimidation

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8 http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsN-Z.aspx [last accessed on 16 March 2015]

9 http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsN-Z.aspx [last accessed on 16 March 2015] providing, *inter alia*, the following information: SR on right to food (Agreed in 2011). In 2014, the Special Rapporteur on the promotion and protection of the right to freedom of opinion listed Venezuela among the countries that had "never responded to requests for visits by the Special Rapporteur", A/HRC/26/30, paragraph 7.

10 "The Charter also addresses the issue of disappeared persons; cooperation on this issue has been established with the Working Group on Enforced or Involuntary Disappearances of the Human Rights Council. An invitation was sent to members of the Working Group to conduct a working visit to Algeria." A/68/153, 17 July 2013, paragraph 22.

11 Post-sessional document-104th session, A/HRC/WGEID/104/1, paragraph 10, available at: http://www.ohchr.org/Documents/Issues/Disappearances/A.HRC.WGEID.104.1_EN.doc, and http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsA-E.aspx [both links last accessed on 16 March 2015] providing the following information: "WG on enforced or involuntary disappearances (Agreed).".

12 http://www.ohchr.org/EN/HRBodies/SP/Pages/Forthcomingcountryvisits.aspx [last accessed 16 march 2015], which includes the following information "Special Rapporteur on violence against women, its causes and consequences - Now postponed - South Africa - 25 February to 7 March 2015".

13 "During my mission I visited a number of places of detention including the Hydebank Prison in Northern Ireland, Cornton Vale Prison in Scotland and Holloway Prison for Women in London. I regret that, despite my repeated requests, a visit to Yarl's Wood immigration detention centre was not facilitated by the Government, and that my access to the Centre was denied, when I tried to visit it independently. Due to receiving information from the third sector, I was keen to speak to detainees in this facility to objectively seek information on violations being experienced". See more at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E#sthash.vnDdDJYR.dpuf [last accessed on 16 March 2015]

14 Statement by Heiner Bielefeldt, Special Rapporteur on Freedom of Religion or Belief, to the 28th session of the UN Human Rights Council, 10 March 2015, available on the HRC extranet.

and reprisals against a human rights defender who met with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment during his visit to **Mexico** in April-May 2014.[15]

Recommendations

These examples are by no means exhaustive. The Human Rights Council should receive this kind of information in a consolidated manner (i.e. a report) to be reviewed and evaluated by the Council on a regular (annual) basis through a dedicated debate devoted to reviewing States' cooperation with the Special Procedures. The review should address, *inter alia,* the status of visit requests, including accepted requests where there have been long delays in setting dates, and full adherence to the guarantees set out in the Terms of Reference for Fact-Finding Missions.[16] The Council should put in place measures to enable the Special Procedures to carry out effectively their mandates with regard country visits, including by supporting full respect of their Terms of Reference for Fact-Finding Missions and protection against reprisals.

The Council should also evaluate the implementation of pledges and commitments to cooperate with the Special Procedures made in connection with campaigns for election to the Human Rights Council. The Council must be prepared to hold accountable states demonstrating persistent non-cooperation with the Special Procedures and other Council mechanisms.[17]

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15 MEX 9/2014, Communications report of the Special Procedures, A/HRC/28/85, 19 February 2015.

16 Appendix V, E/CN.4/1998/45.

17 See also Amnesty International, *Making it work, the reviews of the UN Human Rights Council*, 2011, Index: IOR 41/001/2011, January 2011, available at https://www.amnesty.org/en/documents/IOR41/001/2011/en/ [last accessed on 16 March 2015].